

Application No. 10/763,519
AMENDMENT AND RESPONSE dated March 23, 2006
Reply to Office Action of February 6, 2006

REMARKS

After entry of the present amendment, claims 1-20 are pending. Claims 1-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by US 6,698,332 ("Kollep"). Claims 8-13 were objected to as being dependent upon a rejected base claim. Claims 14-20 are new claims. We request reconsideration and allowance for the reasons set forth below.

I. Rejections of Claims 1-7 under 35 U.S.C. § 102(e)

Claims 1-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kollep.

Independent claim 1 recites a clamping lever that has first and second positions of stability. Kollep fails to disclose this element. The closing lever 6 of Kollep does not have both a first and a second position of stability. While in the open position of FIG. 1, the closing lever 6 does not have any structure that would hold the lever in an open position of stability. The closing lever of Kollep, therefore, has only one position of stability, the closed position. Accordingly, Kollep does not anticipate claim 1.

Dependent claim 2 further recites that the clamping member includes at least one hook member for engaging a detent on the lower part. These elements are described with reference to a preferred embodiment at page 44, lines 12 to 19 of the present application. Accordingly, Kollep fails to disclose these elements as well.

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II. Objections to Claims 8-13

Claims 8 to 13 were objected to as being dependent upon a rejected base claim and would be allowable if rewritten in independent form. Claims 8 to 13 have been rewritten as new claims 15 to 20.

III. New Claim 14

Claim 14 is a new dependent claim that depends from claim 1. Support for claim 14 is found in FIGS. 39 to 42 and the accompanying disclosure thereof. Claim 14 is believed to be allowable for the reasons discussed above for claim 1, and for the further reason that claim 14 requires the third pivot to be disposed between the first and second pivots in both the open and closed positions, which provides a mechanism that is more compact and efficient than that of Kollep.

IV. Conclusion

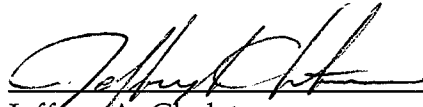
For the reasons set forth above, reconsideration and allowance of all claims are respectfully requested.

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The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

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